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Attorneys for the Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

DAVID WELCH, a Texas Citizen; STACY
WELCH, a Texas Citizen; and JACK WELCH, a
Texas Citizen,

Plaintiffs,

vs.

NARCONON FRESH START d/b/a
RAINBOW CANYON RETREAT, a
California Corporation; ASSOCIATION FOR
BETTER LIVING AND EDUCATION
INTERNATIONAL; NARCONON
INTERNATIONAL; and DOES 1-100, ROE
Corporations I-X, inclusive,

Defendants.

Case No. 2:14-cv-00167-JCM-CWH

**AMENDED STIPULATION AND ORDER
TO EXTEND DISCOVERY DEADLINES**

SIXTH REQUEST

IT IS HEREBY STIPULATED, by and between:

Plaintiffs: DAVID WELCH, STACY WELCH, and JACK WELCH, through their counsel of
record, Ryan Hamilton, Esq. of HAMILTON LAW, and Robert T. Eglet, Esq. and Artemus W. Ham,
Esq. of EGLET PRINCE; and

Defendant: NARCONON FRESH START dba RAINBOW CANYON RETREAT, through its

1 counsel of record, S. Brent Vogel, Esq. and Alayne M. Opie, Esq. of LEWIS BRISBOIS
2 BISGAARD & SMITH LLP, and William H. Forman, Esq. of SCHEPER KIM & HARRIS LLP;
and

3 **Defendant:** ASSOCIATION FOR BETTER LIVING AND EDUCATION INTERNATIONAL
and NARCONON INTERNATIONAL, through its counsel of record, Robert C. Baker, Esq. of
4 BAKER KEENER & NAHRA and Robert McBride, Esq. of CARROLL KELLY TROTTER
FRANZEN MCKENNA & PEABODY

5 On April 7, 2015, this Honorable Court granted the parties' stipulation to extend discovery
6 (Sixth Request) (Doc. 80). The parties mistakenly submitted incorrect dates for the discovery cut-
7 off, dispositive motion deadline, and the joint pre-trial order. To correct those mistakes the parties
8 hereby submit an amended stipulation.

9
10 **1. Discovery Completed to Date:**

- 11 A. Parties have propounded lengthy written discovery and parties have answered;
12 B. The parties have disclosed numerous records and evidence;
13 C. The parties have disclosed initial experts
14 D. The following depositions have commenced: Plaintiff Stacy Welch; Plaintiff
15 David Welch; Plaintiff Jack Welch; Dr. Robert Earle (non-appearance); James
16 Chapman, LCDC; Dr. Mavis Fujii; Dr. Jason Powers; and Dan Morgan.

17 **2. Discovery that Remains to be Completed:**

- 18 A. Additional depositions of the Defendants' representatives;
19 B. Additional depositions of percipient witnesses;
20 C. The deposition of The Right Step's FRCP 30(b)(6) Witness;
21 D. The deposition of Dr. Robert Earle following an Order compelling his
22 attendance;
23 E. Disclosure of rebuttal experts;
24 F. Depositions of the parties' experts (including rebuttal experts that are to be
25 disclosed). The parties anticipate disclosing approximately twenty (20) experts;

D. Additional written and deposition discovery as determined by the parties.

3. Why Discovery Was Not Completed Within the Limits Set by the Discovery Order

The parties stipulate to extending certain discovery deadlines to facilitate the mediation of this matter and the coordination of a mass mediation to include other Narconon Fresh Start cases currently filed in Nevada, Colorado and California. It is anticipated that said mediations will take place at the end of April or beginning of May 2015, schedules permitting. The parties are working with prospective mediator candidates in an attempt to coordinate an amicable time/date for all parties, the parties' attorneys and parties' representatives to attend. The parties request this extension in good faith and in an effort to promote judicial economy. Should this matter resolve at mediation, the deadlines that fall between then and now require the parties to expend significant amounts of time and money to appropriately litigate and defend this claim; all of which could potentially be saved should this matter resolve.

4. Proposed Schedule for Completing Discovery and Arbitration

On April 7, 2015, this Honorable Court granted Plaintiffs' and Fresh Start's Stipulation to Extend Discovery (Sixth Request) (Doc. 80). Currently, the discovery deadlines are as follows:

Last day to serve initial disclosures	Closed
Last day to file a motion to add parties or amend pleadings	Closed
Initial expert disclosure deadline:	Closed
Interim Status Report	Closed
Rebuttal expert disclosure deadline:	June 29, 2015
Discovery cut off:	June 29, 2015
Last day to file dispositive motions	July 29, 2015
Joint Pretrial Order	August 28, 2015

The proposed schedule for completing the remaining discovery is as follows:

Last day to serve initial disclosures	3	Closed
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1	Last day to file a motion to add parties or amend pleadings	Closed
2	Initial expert disclosure deadline:	Closed
3	Interim Status Report	Closed
4	Rebuttal expert disclosure deadline:	June 29, 2015
5	Discovery cut off:	August 28, 2015
6	Last day to file dispositive motions	October 27, 2015
7	Joint Pretrial Order	November 29, 2015

8 **5. Certificate of Conference and Stipulation**

9 Counsel for the parties have conferred by email and telephone and have signed
10 below, indicating their agreement to this Amended Stipulation and Order to Extend
11 Discovery Deadlines (Sixth Request). The parties do not request a conference with the
12 Magistrate before entry of an Amended Scheduling Order, should one be required.

13	14	15	16	17	18	19	20	21	22	23	24	25
	Dated this 28th day of April, 2015											
	HAMILTON LAW											
	By: <u>/s/ Ryan Hamilton</u>											
	Ryan Hamilton											
	5125 S. Durango Dr., Ste. C											
	Las Vegas, NV 89113											
	and											
	Robert T. Eglet											
	Artemus Ham											
	EGLET PRINCE											
	400 South Seventh Street, Box 1, Suite 400											
	Las Vegas, Nevada 89101											
	<i>Counsel for Plaintiffs</i>											
	Dated this 28th day of April, 2015											
	BAKER KEENER & NAHRA											
	By: <u>/s/ Robert Baker</u>											
	Robert Baker											
	633 W. 5 th Street, Suite 5500											

Los Angeles, Ca 90071
and
Robert McBride
CARROLL KELLY TROTTER
FRANZEN MCKENNA & PEABODY
8329 W. Sunset Road, Suite 260
Las Vegas, Nevada 89113
Counsel for NI and ABLE

ORDER

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the deadlines in this case are as follows:

Last day to serve initial disclosures	Closed
Last day to file a motion to add parties	Closed
or amend pleadings	
Initial expert disclosure deadline:	Closed
Interim Status Report	Closed
Rebuttal expert disclosure deadline:	June 29, 2015
Discovery cut off:	August 28, 2015
Last day to file dispositive motions	October 27, 2015
Joint Pretrial Order	December 2, 2015

DATED: April 29, 2015


United States Magistrate Judge

Respectfully submitted by:

HAMILTON LAW

By: /s/ Ryan Hamilton
Ryan Hamilton
5125 S. Durango Dr., Ste. C
Las Vegas, NV 89113